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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/716,455	11/20/2003	Takashi Takahashi	R2184.0271/P271	6664
24998	7590	10/06/2004	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP			KANG, DONGHEE	
2101 L STREET NW			ART UNIT	PAPER NUMBER
WASHINGTON, DC 20037-1526			2811	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

(2)

<b>Office Action Summary</b>	<b>Application No.</b> 10/716,455	<b>Applicant(s)</b> TAKAHASHI ET AL.	
	<b>Examiner</b> Donghee Kang	<b>Art Unit</b> 2811	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-85 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 1-85 are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Election/Restrictions.***

1. This application contains claims directed to the following patentably distinct species of the claimed invention.
2. The species are as follows:
  1. Embodiment 1 having a structure as described in Fig.2.
  2. Embodiment 2 having a structure as described in Fig.3.
  3. Embodiment 3 having a structure as described in Fig.4.
  4. Embodiment 4 having a structure as described in Fig.5.
  5. Embodiment 5 having a structure as described in Fig.6.
  6. Embodiment 6 having a structure as described in Fig.7.
  7. Embodiment 7 having a structure as described in Fig.8.
  8. Embodiment 8 having a structure as described in Fig.11.
  9. Embodiment 9 having a structure as described in Fig.16.
  10. Embodiment 10 having a structure as described in Fig.18.
  11. Embodiment 11 having a structure as described in Fig.20.
  12. Embodiment 12 having a structure as described in Fig.22.
  13. Embodiment 13 having a structure as described in Fig.25.
  14. Embodiment 14 having a structure as described in Fig.26.
  15. Embodiment 15 having a structure as described in Fig.27.
  16. Embodiment 16 having a structure as described in Fig.29.
  17. Embodiment 17 having a structure as described in Fig.31.

18. Embodiment 18 having a structure as described in Fig.32.
29. Embodiment 19 having a structure as described in Fig.33.
20. Embodiment 20 having a structure as described in Fig.37.
21. Embodiment 21 having a structure as described in Fig.38.
22. Embodiment 22 having a structure as described in Fig.39.
23. Embodiment 23 having a structure as described in Fig.40.
24. Embodiment 24 having a structure as described in Fig.41.
25. Embodiment 25 having a structure as described in Fig.42.
26. Embodiment 26 having a structure as described in Fig.43.
27. Embodiment 27 having a structure as described in Fig.44.
28. Embodiment 28 having a structure as described in Fig.46.
29. Embodiment 29 having a structure as described in Fig.47.
30. Embodiment 30 having a structure as described in Fig.48.
31. Embodiment 31 having a structure as described in Fig.49.
32. Embodiment 32 having a structure as described in Fig.50.
33. Embodiment 33 having a structure as described in Fig.51.
34. Embodiment 34 having a structure as described in Fig.52.
35. Embodiment 35 having a structure as described in Fig.54.
36. Embodiment 36 having a structure as described in Fig.56.
37. Embodiment 37 having a structure as described in Fig.57.

3. Applicant is required under U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, none is generic claim which read all embodiment invention.

4. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

5. Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donghee Kang whose telephone number is 571-272-1656. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie C Lee can be reached on 571-272-1732. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Donghee Kang  
Primary Examiner  
Art Unit 2811

dhk